

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

CHARLENE ALLEN,	:	Case No. 3:18-cv-285
	:	
Plaintiff,	:	Magistrate Judge Sharon L. Ovington
	:	(by full consent of the parties)
vs.	:	
	:	
COMMISSIONER OF THE SOCIAL	:	
SECURITY ADMINISTRATION,	:	
	:	
Defendant.	:	

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**DECISION AND ENTRY**

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This case is before the Court on the parties’ Joint Motion for an Award of Attorney’s Fees Pursuant to the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412. (Doc. #13). Specifically, the parties stipulate and petition this Court under the EAJA to enter an order awarding Plaintiff \$2,950.00 in attorney fees and expenses, and \$400.00 in costs, in the total amount of \$3,350.00 (three thousand three hundred fifty dollars). The award of attorney fees, costs, and expenses will fully satisfy and settle any and all of Plaintiff’s claims under 28 U.S.C. § 2412 that may be payable in this case.

Any fees paid belong to Plaintiff and can be offset to satisfy pre-existing debt that Plaintiff owes the United States, pursuant to the decision in *Astrue v. Ratliff*, 560 U.S. 586, 130 S.Ct. 2521 (2010). After the Court enters this award, if counsel for the parties can verify that Plaintiff owes no pre-existing debt subject to offset, Defendant

agrees to direct that the award be made payable to Plaintiff's attorney pursuant to the EAJA assignment duly signed by Plaintiff.

**IT IS THEREFORE ORDERED THAT:**

1. The Parties' Joint Motion for an Award of Attorney's Fees Pursuant to the Equal Access to Justice Act (Doc. #13) is accepted and the Commissioner shall pay Plaintiff's attorney fees, costs, and expenses in the total amount of \$3,350.00;
2. Counsel for the parties shall verify, **within thirty days of this Decision and Entry**, whether or not Plaintiff owes a pre-existing debt to the United States subject to offset. If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's counsel pursuant to the EAJA assignment signed by Plaintiff; and
3. The case remains terminated on the docket of this Court.

**IT IS SO ORDERED.**

Date: July 19, 2019

s/Sharon L. Ovington

Sharon L. Ovington  
United States Magistrate Judge